IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

AMY BALDIN, an individual and as sole manager
of **LUGANO PROPERTIES 4, LLC**, a Nevada
Limited Liability Company,

        Plaintiff,

        v.

WELLS FARGO BANK, N.A., a National Bank
registered to do business in Oregon; and
WELLS FARGO HOME MORTGAGE,
a division of WELLS FARGO BANK, N.A.,

        Defendants.

No. 3:12-cv-00648-AC

OPINION AND ORDER

On April 12, 2016, Magistrate Judge Acosta issued his Findings and Recommendation
[219], recommending Wells Fargo's Motion for Attorney Fees and Costs [205] should be
GRANTED in part and DENIED in part. Judge Acosta recommends awarding Wells Fargo
attorney fees in the amount of $45,504.20 and costs in the amount of $2,599.55. Plaintiff
objected in part [221], and Defendant responded [222].

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may
file written objections. The court is not bound by the recommendations of the magistrate judge,
but retains responsibility for making the final determination. The court is generally required to

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make a de novo determination regarding those portions of the report or specified findings or

recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

is not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*

Thomas v. Arn, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121

(9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R

depends on whether or not objections have been filed, in either case, I am free to accept, reject,

or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon review, I agree with Judge Acosta's recommendation and I ADOPT the F&R [219]

as my own opinion.

IT IS SO ORDERED.

DATED this _24_ day of May, 2016.

/s/ Michael W. Mosman
MICHAEL W. MOSMAN
Chief United States District Judge

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